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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 CHRISTOPHER LEON SMITH,

9 Plaintiff,

10 v.

11 PIERCE COUNTY CORRECTIONS
12 FACILITY, et al.,

13 Defendants.

Case No. C09-5473BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

14 This matter comes before the Court on the Report and Recommendation of the
15 Honorable Karen L. Strombom, United States Magistrate Judge (Dkt. 14). The Court having
16 considered the Report and Recommendation and the remaining record, and no objections by
17 Plaintiff having been filed, does hereby find and order:

- 18 (1) The Court adopts the Report and Recommendation; and
19 (2) This action is **DISMISSED without prejudice** because Plaintiff has failed to
20 state a claim upon which relief may be granted.

21 DATED this 7th day of January, 2010.

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24 BENJAMIN H. SETTLE
25 United States District Judge
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ORDER